

Attachment A

Title III Accountability Requirements Under the No Child Left Behind Act

Title III Accountability Requirements Under No Child Left Behind (NCLB)

The purpose of this document is to inform school and district personnel in California of the new accountability provisions required by Title III of NCLB. Title III requires that states:

- establish English language proficiency standards,
- conduct an annual assessment of English language proficiency,
- define annual achievement objectives for increasing and measuring the level of Limited English Proficient (LEP) students' development and attainment of English proficiency, and
- hold Local Education Agencies (LEAs) accountable for meeting the annual measurable achievement objectives. (Section 3122)

In addition to Title III requirements related to acquiring English proficiency, Title I of NCLB holds LEP students responsible for meeting the state's academic content and achievement standards. Please see the 2002 Base Adequate Yearly Progress Report (<http://www.cde.ca.gov/ayp>) for information on Adequate Yearly Progress and the English Learner subgroup.

Requirements for Annual Assessment of English Language Proficiency

NCLB requires that each state conduct an annual assessment of the English language proficiency of LEP students based on the state's English language development standards. Students' language proficiency must be measured in the four domains of speaking, reading, writing, and listening. California leads the nation in meeting this requirement with the California English Language Development Test (CELDT) based on California's ELD standards. Title III also requires the development of a comprehension score as well as the assessment of reading and writing in kindergarten and first grade as part of the annual English language proficiency assessment. A comprehension score will be derived for the 2004 administration of the CELDT. Test items in reading and writing for kindergarten and first grade will be incorporated into the 2005 CELDT after having been field-tested in 2004.

Annual Objectives

States are required to define two English language proficiency annual measurable achievement objectives (AMAOs) for English learners. California's English language proficiency AMAOs are based on baseline data from the CELDT and will be used to evaluate the effectiveness of language instruction educational programs.

- The first AMAO specifies annual increases in the number or percentage of students making progress in learning English.
- The second AMAO specifies annual increases in the number or percentage of children attaining English proficiency as demonstrated by CELDT.

On February 24, 2003, California Department of Education (CDE) staff convened a Title III accountability workgroup to provide suggestions on the development of the AMAOs. In addition, CDE staff met with several statewide professional organizations regarding the development of the annual objectives; these organizations included the Association for California School Administrators (ACSA), the Bilingual Coordinators Network, the California School Boards Association (CSBA), the California Association of Administrators of State and Federal Education Programs (CAASFEP), the Technical Advisory Panel for the CELDT, and the AB 312 NCLB Liaison Team.

In defining the AMAOs, the following guiding principles were established:

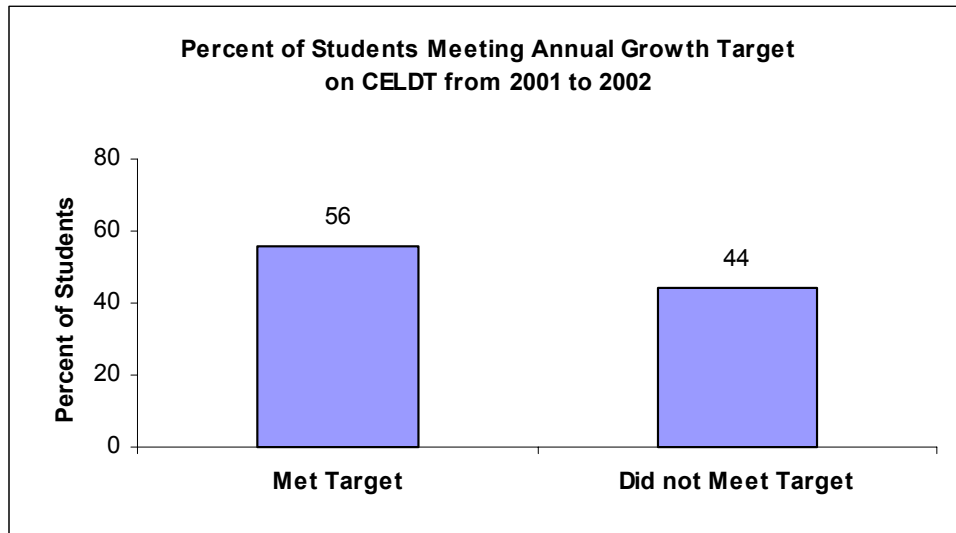
- The AMAOs must accurately measure the progress LEAs have made in increasing the proficiency of English learners.
- The AMAOs should define rigorous yet achievable objectives.
- Reliable and valid data should be used in the definition of the AMAOs.
- The accountability system should be kept as simple as possible and be understandable to teachers, students, and parents.

Extensive analyses of baseline data from the 2001 and 2002 administrations of the CELDT were conducted to determine appropriate targets for the AMAOs. This information was presented to the State Board of Education (SBE) beginning in March 2003. In July 2003, the SBE adopted the annual targets for the two AMAOs.

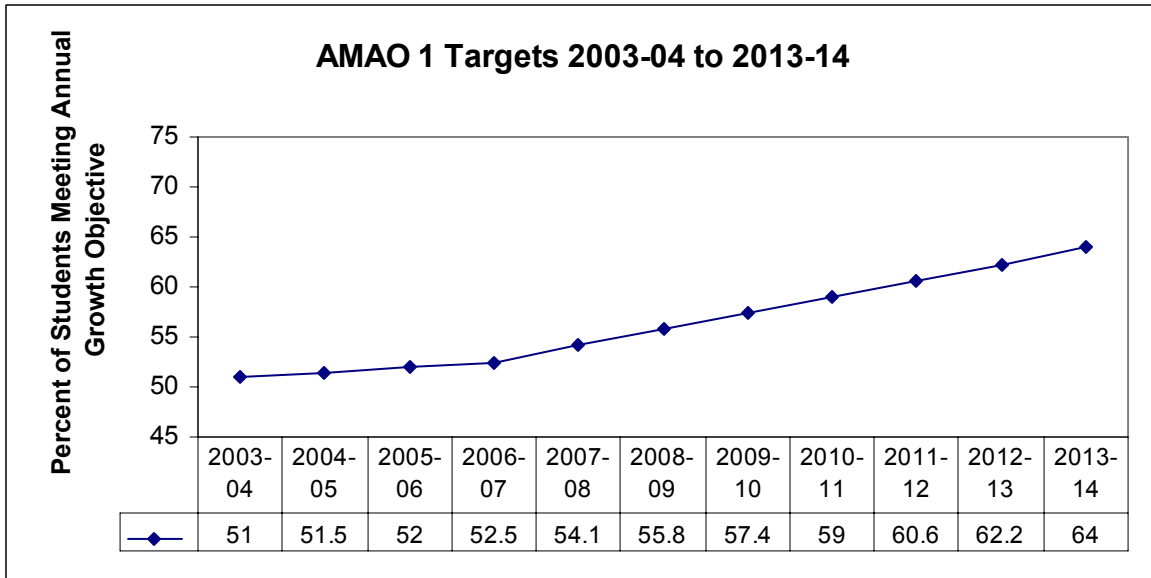
AMAO 1: Gains in the percentage of students making progress in learning English

The first AMAO requires annual increases in the percentage of students making progress in learning English. The SBE set the annual growth metric as gaining one proficiency level annually until students reach the level considered for re-designation to Fluent English Proficient (R-FEP) – Early Advanced Overall with no sub-skill below Intermediate. Although a gain of one proficiency level may not be reasonable for all intermediate students, it is reasonable to expect a given percentage of students in an LEA to gain one proficiency level. For students who have reached the Early Advanced level with no sub-skill below Intermediate but have not been re-designated, the annual goal is to maintain this level of proficiency. Students at the Beginning, Early Intermediate, or Intermediate levels are expected to gain one proficiency level per year. A student at the Early

Advanced level with some skill areas below Intermediate is expected to bring all skill areas up to the Intermediate level; and a student already at the English proficiency level required for re-designation is expected to maintain that level. When this annual growth target was applied using CELDT data from 2001 and 2002, 56% of CELDT takers statewide met the growth target.



Title III requires the State to set the AMAO targets for LEAs from 2003-04 to 2013-14. This was done by determining the starting and ending points. The starting point for 2003-04 was set using a process similar to setting the starting point for Title I Adequate Yearly Progress. Using this process, 51% of students within each LEA are expected to meet the annual growth target of gaining one proficiency level or attaining or remaining at the level of English language proficiency. Based on 2001 and 2002 CELDT results, approximately 80% of LEAs would meet this target. The end point for 2013-14 was set at the 75th percentile of the current LEA distribution. That is, the level where 25% of LEAs are above the target and 75% of LEAs are below the target. The chart below shows the annual growth targets from 2003-04 to 2013-14. For example, in 2006-07, 52.5% of students in an LEA need to meet the annual growth objective. Smaller annual gains are expected the first 3 years to allow LEAs to become accustomed to these new accountability requirements. As schools and districts improve instruction for English learners, they are expected to meet the more rigorous targets for 2007-08 and beyond. As changes are incorporated into the CELDT and as more CELDT data are available, the targets can be adjusted if the data indicate a need for revision.



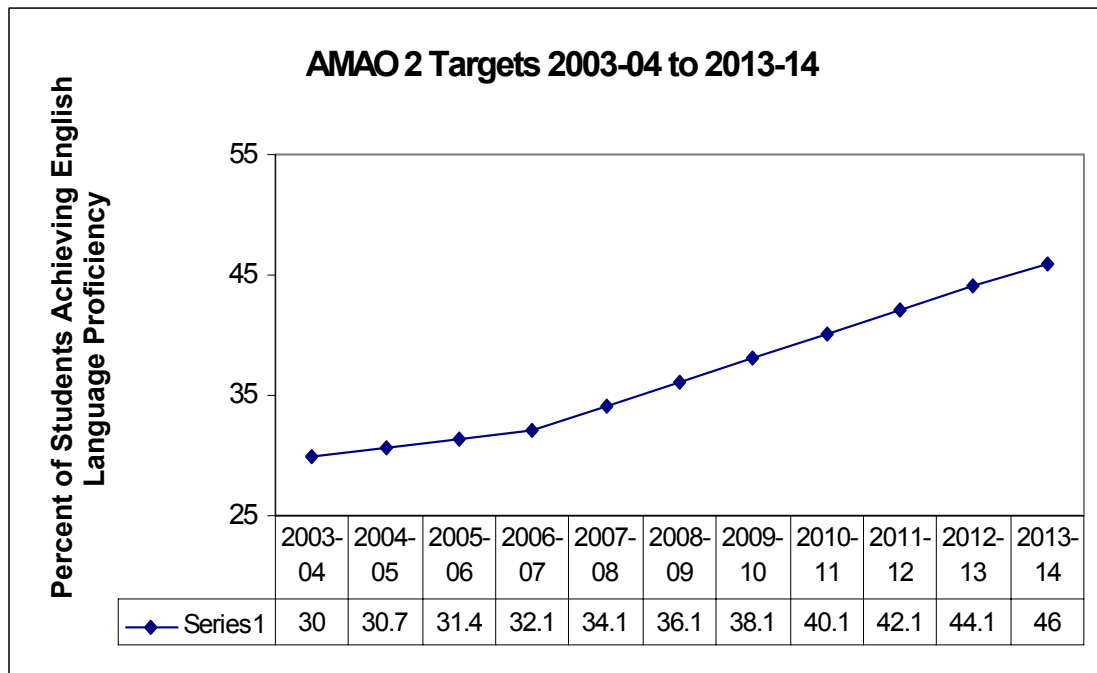
AMAO 2: Gains in the percentage of students attaining English proficiency

The second AMAO requires annual increases in the percentage of students attaining English proficiency. In May 2003, the SBE adopted the definition of English language proficiency that will be used in AMAO 2 as Early Advanced Overall, with all skill areas at the Intermediate level or above. The second AMAO will examine the percentage of students in the defined cohort who reach the SBE-adopted definition of English language proficiency. For this objective it was necessary to define the group of students who could reasonably be expected to reach English language proficiency at a given point in time. The SBE approved the use of the following student cohort:

- Students with two years of CELDT scores who have been in U.S. schools for 4 or more years;
- Students at the Intermediate level or above who did not reach English proficiency the prior year;
- Students below the Intermediate level the prior year who met the English proficient level.

Using this cohort of students credits LEAs for students who reach the English proficient level after four or more years in U.S. schools and those in the Intermediate level or below the prior year who reach English language proficiency the following year. This definition does not penalize LEAs for students below Intermediate level who do not reach the English proficient level unless they have been in the U.S. for four or more years. Under this AMAO, once students have reached the English proficient level, they are not credited for maintaining that level the next year. In establishing this AMAO, the belief was that the inclusion of students at the Intermediate level could motivate LEAs to better target the needs of English learners at this level.

As with the first AMAO, these targets have been established with smaller gains expected the first three years as LEAs become accustomed to the new



accountability provisions. The Title I method of setting the starting point is used and the end point for 2013-14 is set at the 75th percentile of the LEA distribution.

Title III Accountability Reports

CDE will prepare annual Title III Accountability Reports indicating the status of each LEA in meeting the two AMAO targets. These reports will be produced by CDE each spring based on the most recent administration of the CELDT.

Accountability for Meeting the AMAOs

If an LEA fails to make progress toward meeting the AMAOs for two consecutive years, the State shall require the LEA to develop an improvement plan that will ensure that the AMAOs are met. The improvement plan shall specifically address the factors that prevented the district from achieving the AMAOs. If the LEA fails to meet the AMAOs for four consecutive years, the state shall require the LEA to modify its curriculum, program, and method of instruction, or make a determination whether the LEA shall continue to receive Title III funds (Section 3122 (b)).

Timeline of Events

July-Oct. 2003	CELDT administration
Sept. 2003	CDE submits state baseline data on CELDT to USDE
Spring 2004	Title III Accountability Reports sent to LEAs
July-Oct 2004	CELDT administration
Spring 2005	Title III Accountability Reports sent to LEAs
Spring 2005	LEAs who have not meet AMAOs two consecutive years identified

Questions and Answers About Title III Accountability

What are the Title III accountability provisions?

Title III requires that states hold local education agencies (LEAs) accountable for meeting two annual measurable achievement objectives (AMAOs) for English learners. These AMAOs were approved by the State Board of Education in July, 2003. The first AMAO relates to making annual progress, and the second AMAO relates to attaining English proficiency. A description of each of the AMAOs and the targets from 2003-04 to 2013-14 will be posted on the CDE Web site at <http://www.cde.ca.gov/el/title3/>.

When will LEAs be held accountable for reaching these targets?

LEAs will be held accountable for meeting the AMAOs beginning in the 2003-04 school year.

When will LEAs receive information on whether they have met the growth targets?

Districts and direct funded charter schools will receive Title III Accountability reports in spring 2004 indicating whether they have met the two AMAOs for 2003-04.

What are the consequences if an LEA does not meet the growth targets?

If an LEA fails to meet the growth targets for two consecutive years, the LEA shall develop an improvement plan that will ensure that the AMAOs are met. The improvement plan shall specifically address the factors that prevented the LEA from achieving the AMAOs. The plan may apply to targeted schools rather than the entire LEA if the particular factors that prevented the LEA from meeting the AMAOs warrant such an approach. If the LEA fails to meet the AMAOs for four consecutive years, the State shall require the LEA to modify its curriculum, program, and method of instruction, *or* decide that the LEA should not receive Title III funds.

How do the Title III accountability provisions impact LEA planning?

The Title III AMAOs should become a key component in the local evaluation of the effectiveness of services to English learners. LEAs should incorporate the AMAOs into their annual objectives and examine areas where English learners are not making satisfactory progress.

Do these accountability provisions apply to charter schools that are receiving Title III funds?

Direct-funded charter schools that receive Title III funds will be held accountable for meeting these AMAOs and will receive Title III Accountability Reports each spring. Charter schools that receive funding through an LEA will be accountable as part of the LEA.

How do these requirements relate to the NCLB requirements for making adequate yearly progress?

These Title III accountability requirements are in addition to the NCLB requirements that districts and schools meet the Adequate Yearly Progress requirements for English learners. For more information on Adequate Yearly Progress, please refer to the CDE Web site at <http://www.cde.ca.gov/ayp>

Do these provisions apply to immigrant students and LEAs with Title III immigrant subgrants?

These Title III accountability provisions apply to all LEAs receiving funding under Title III. Immigrant students who are English learners would be included in these accountability objectives.

Are private schools held accountable?

No, only public schools are subject to these accountability provisions.